

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

23-10105 BKOBJ03
BROCK & SCOTT, PLLC
302 Fellowship Rd, Suite 130
Mount Laurel, NJ 08054
(844) 856-6646
Attorneys for Truist Bank

In Re:

Ayyaz Ahmed
And Aysha Khan

Case No: 23-21777-SLM

Hearing Date: February 28,
2024

Judge: STACEY L. MEISEL

Chapter: 11

**OBJECTION TO CONFIRMATION
OF DEBTORS' CHAPTER 13 PLAN**

Truist Bank ("Creditor"), by and through its undersigned counsel, files this *Objection to Confirmation of Debtors' Chapter 13 Plan* [DE 3], and states as follows:

1. The Debtors filed a voluntary petition pursuant to Chapter 11 of the Bankruptcy Code on December 21, 2023.
2. Creditor holds a security interest in the Debtors' real property located at 34 TROPHY RIDGE, San Antonio, TX 78258 (the "Property"), by virtue of a Mortgage.
3. The Debtors filed a Chapter 13 Plan (the "Plan") on December 21, 2023 [DE 3].
4. Creditor filed a Proof of Claim in this case on January 19, 2024 (Claim No. 4).
5. The Plan does not list the Secured Creditor.
6. Creditor has filed a Secured Timely Filed Proof of Claim. The Proof of Claim lists a Total Debt in the amount of \$1,106,041.24 and a pre-petition arrearage totaling \$205,700.14, whereas the Plan proposes to pay only \$0.00.

7. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed. Creditor objects to any plan which proposes to pay it anything less than \$205,700.14 as the pre-petition arrearage over the life of the plan.

WHEREFORE, Creditor respectfully requests the entry of an Order which denies confirmation of the Plan unless such plan is amended to overcome the objections of Creditor as stated herein, and for such other and further relief as the Court may deem just and proper.

/s/Matthew Fissel

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Jay Jones, NJ Bar No. 972011
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CERTIFICATION OF SERVICE

1. I, Cassondra Emanuel:

☐ represent the _____ in the above-captioned matter.

☒ am the secretary/paralegal for BROCK & SCOTT, PLLC, who represents Truist Bank in the above captioned matter.

☐ am the _____ in the above case and am representing myself.

2. On January 29, 2024, I sent a copy of the following pleadings and/or documents to the parties listed below:

OBJECTION TO CONFIRMATION OF DEBTORS' CHAPTER 13 PLAN

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: January 29, 2024

/s/ Cassondra Emanuel
Cassondra Emanuel

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Ayyaz Ahmed 116 Boonton Ave. Butler, NJ 07405	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
AYSHA KHAN 116 BOONTON AVE Butler, NJ 07405	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
ANIELLO D. CERRETO GORDONS CORNER PROFESSIONAL PLAZA 215 GORDONS CORNER RD., STE.1 MANALAPAN, NJ 07726	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
US Dept of Justice Office of the US Trustee	US Trustee	<input type="checkbox"/> Hand-delivered

One Newark Center Ste 2100 Newark, NJ 07102		<input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
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* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.